



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.02.2018

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THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P.(MD) No.2555 of 2018 and
WMP(MD).No.2756 and 2757 of 2018

G. Kesavan

... Petitioner

-Vs-

1.The Superintendant of Police,
Thirunelveli District,
Thirunelveli.

2.The Deputy Superintendant of Police,
Valliyoore Range,
Valliyoore,
Thirunelveli District.

3.The Inspector of Police,
Koodankulam Police Station,
Koodankulam,
Thirunelveli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari Mandamus to call for the impugned rejection order dated 03.02.2018 passed by the third respondent in connection with the conductment of hunger protest as organised by the petitioner and on behalf of his political party on 12.02.2018 in between 8.00 am to 5.00 pm adjacent to Late Political Leader Mr.Kamaraj Statue and in front of Atomic Power Project at Koodankulam, Radhapuram Taluk, Thirunelveli District and subsequently quash the same as illegal and devoid of merits and consequently direct the respondents to grant permission to the petitioner for the said protest at the said date and time forthwith.

For Petitioner : Mr.S.Palani Velayutham
For Respondents : Mr.V.Shanmugaselvam
Additional Government Pleader

O R D E R

This petition has been filed to quash the order passed by the third respondent and consequently to direct him to grant permission for conducting hunger protest by the petitioner for himself and on behalf of his political party, on 12.02.2018 in between 8.00 am to 5.00 p.m., adjacent to Late Political Leader Mr.Kamaraj Statue and in front of Atomic Power Project at Koodankulam, Radhapuram Taluk, Thirunelveli District.

2. The learned counsel appearing for the petitioner has submitted that the petitioner is the Union Secretary of Dravida Munnetra kalagam, Radhapuram Union. He further submitted that the petitioner's party members have decided to have "hunger protest", with regard to the malpractice committed in allotting the contract and hence, the petitioner has submitted a representation on 02.02.2018, but, the third respondent without assigning any valid reason has rejected the said representation.

3. The learned Additional Government Pleader appearing for the respondents has submitted that since the petitioner wants to have hunger protest in front of the Atomic Power Plant at Kudankulam, the third respondent has rejected his request.

4. Considering the aforesaid submissions, the petitioner is directed to give a fresh representation to the respondents on or before 10.02.2018, mentioning some other place and on submission of such application, the third respondent is directed to consider the same and pass appropriate orders on or before 11.02.2018 on merits and in accordance with law.

5. With the aforesaid observations, this writ petition is disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AD-II)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Thirunelveli District,
Thirunelveli.
2. The Deputy Superintendent of Police,
Valliyoore Range,
Valliyoore,
Thirunelveli District.
3. The Inspector of Police,
Koodankulam Police Station,
Koodankulam,
Thirunelveli District.

+1cc to M/S.S.Palani Velayutham, Advocate SR.No. 47355

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TRP

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CM/SV/SAR 27/09.02.2018/2P/5C